

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**R. ALEXANDER ACOSTA,
SECRETARY OF LABOR,
UNITED STATES DEPARTMENT,
OF LABOR,**

Plaintiff,

**Civil Action no. 18-cv-01194-PLD
Magistrate Judge Patricia L. Dodge**

v.

**CHRISTIAN HOME HEALTHCARE
CORP. and INDIA CHRISTIAN,**

Defendants.

AMENDED ORDER FOR MEDIATION

Having considered the Defendants' Unopposed Motion to Continue Mediation, and finding that good cause exists, it is ORDERED that Defendants' Consented Motion to Continue Mediation is hereby GRANTED. It is further ORDERED that the Settlement Conference/Mediation previously scheduled for December 9, 2020, shall now be re-scheduled for December ____, 2020, starting at _____. The mediation will be held in via video using Zoom.

The mediation shall be attended by an authorized representative of each party, together with trial counsel for each party. A governmental entity shall send a representative authorized to act on its behalf. Failure to produce the appropriate persons at the mediation may result in an award of costs and attorney fees incurred by the other parties in connection with the mediation and/or other sanctions against the noncomplying party and/or counsel.

No later than _____ ____, 2020, each party shall submit a confidential mediation statement to the magistrate judge. The mediation statement shall not become part of the file of the case, but shall be for the exclusive use of the magistrate judge in preparing for and conducting the mediation. The mediation statement shall be no longer than five pages.

The mediation statement shall contain a specific recitation of the facts, a discussion of the strengths and weaknesses of the case, the parties' position on settlement, including a present settlement proposal, and a report on settlement efforts to date. Legal arguments are not to be included unless they are critical to the evaluation or settlement of the case and, if included, should be limited to basic legal arguments. Copies of any agreements, business records, photographs or other documents or exhibits may be attached to the mediation statement if critical to the negotiations. The parties are directed to be candid in their statements, but are not required to disclose their final settlement authority.

The statements **should not** be filed with the Clerk of Courts, but should be mailed or faxed to the magistrate judge. Copies of the mediation statement **should not** be provided to the other parties in the case and will not become part of the case docket.

No later than _____, **2020**, plaintiff's counsel shall submit a settlement demand to defendant's counsel with a brief explanation of why such a settlement is appropriate. No later than _____, defendant's counsel shall submit a written offer to plaintiff's counsel with a brief explanation of why such a settlement is appropriate. These steps will enable the mediation to progress more expeditiously.

A premediation telephone conference is scheduled for _____, **2020** at _____. Counsel shall call into the conference by dialing 888-363-4749 and entering the access code 6019141. If asked for a security code, use * to bypass.

SO ORDERED this ____ day of _____, 2020.

Lisa Pupo Lenihan
United States Magistrate Judge